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Attorneys for Plaintiffs Gregory R. Raifman and
 Susan Raifman, individually and as Trustees for the
 Raifman Family Revocable Trust Dated 7/2/03,
 and Gekko Holdings, LLC, an Alaska
 limited liability company, dba Gekko Breeding and Racing

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

GREGORY R. RAIFMAN, individually and as
 Trustee of the RAIFMAN FAMILY
 REVOCABLE TRUST DATED 7/2/03, SUSAN
 RAIFMAN, individually and as Trustee of the
 RAIFMAN FAMILY REVOCABLE TRUST
 DATED 7/2/03, and GEKKO HOLDINGS, LLC,
 an Alaska limited liability company, dba GEKKO
 BREEDING AND RACING,

Plaintiffs,

v.

CLASSICSTAR, LLC, a Utah limited liability
 company, CLASSICSTAR FARMS, LLC, a
 Kentucky limited liability company, BUFFALO
 RANCH, a business entity form unknown,
 GEOSTAR CORPORATION, a Delaware
 corporation, S. DAVID PLUMMER, SPENCER
 D. PLUMMER III, TONY FERGUSON,
 THOMAS ROBINSON, JOHN PARROT,
 HANDLER, THAYER & DUGGAN, LLC, an
 Illinois Limited Liability Company, THOMAS J.
 HANDLER, KARREN, HENDRIX, STAGG,
 ALLEN & COMPANY, P.C., a Utah professional
 corporation f/k/a KARREN, HENDRIX &
 ASSOCIATES, P.C., a Utah professional
 corporation, TERRY L. GREEN, and DOES 1-
 1000 inclusive,

Defendants.

CASE NO. C 07-02552 MJJ

**[PROPOSED] DEFAULT BY CLERK
 AGAINST DEFENDANT THOMAS J.
 HANDLER PURSUANT TO F.R.C.P. 55(a)**

1 It appearing from the records in the above-entitled action that the Summons issued on the
2 Complaint has been served upon the Defendant named below, and it appearing from the Declaration of
3 counsel for Plaintiff, and appearing from other evidence as required by F.R.C.P. 55(a) that the below
4 Defendant has failed to plead or otherwise defend in said action as directed in said Summons, and as
5 provided in the Federal Rules of Civil Procedure,

6 NOW, THEREFOR, on request of counsel, the DEFAULT of the following named Defendant
7 is hereby entered:

8 1. THOMAS J. HANDLER.

9 Dated: _____

CLERK OF THE U.S. DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA

12 Respectfully submitted,

13 IDELL & SEITEL LLP

14 Dated: July 9, 2007

15 By: _____

16 Richard J. Idell

17 Ory Sandel

18 Elizabeth J. Rest

19 Attorneys for Plaintiffs Gregory R. Raifman and Susan
20 Raifman, individually and as Trustees for the Raifman
21 Family Revocable Trust Dated 7/2/03, and Gekko
22 Holdings, LLC, an Alaska limited liability company, dba
23 Gekko Breeding and Racing
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PROOF OF SERVICE

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Idell & Seitel 465 California Street, Suite 300, San Francisco, California 94104.

On July 9, 2007, I served the following document(s):

[PROPOSED] DEFAULT BY CLERK AGAINST DEFENDANT THOMAS J. HANDLER
PURSUANT TO F.R.C.P. 55(a)

☒ by regular **UNITED STATES MAIL** by placing a true and correct copy in a sealed envelope addressed as shown below. I am readily familiar with the practice of Idell Seitel & Rutchik for collection and processing of correspondence for mailing. According to that practice, items are deposited with the United States Postal Service at San Francisco, California on that same day with postage thereon fully prepaid. I am aware that, on motion of the party served, service is presumed invalid if the postal cancellation date or the postage meter date is more than one day after the date of deposit for mailing stated in this affidavit.

☒ by **E-MAIL TRANSMISSION**, by electronically transmitting a true and correct copy of the document(s) in Adobe Acrobat format to the electronic mail addresses indicated below:

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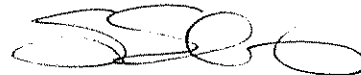


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7 presumed invalid if the postal cancellation date or the postage meter date is more than one day
8 after the date of deposit for mailing stated in this affidavit.

9
10 Thomas J. Handler
11 Handler, Thayer & Duggan, LLC
12 191 N. Wacker Drive, 23rd Floor
13 Chicago, IL 60606

14 Handler, Thayer & Duggan, LLC
15 191 N. Wacker Drive, 23rd Floor
16 Chicago, IL 60606

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18 I certify and declare under penalty of perjury under the laws of the State of California that the
19 foregoing is true and correct and I executed this declaration at San Francisco, California.
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Suzanne Slavens